

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SHASTA

MILLVILLE DITCH COMPANY, a  
corporation

Plaintiff,

VS.

No. 6904

### JUDGMENT AND DECREE

JESSE HUFFORD, ISAAC E. RAY,  
MARCUS E. THOMAS, JOHN F. KREHBIEL,  
T. J. RAY, BEN HALL and MT. SHASTA  
COAL COMPANY, R. G. WRIGHT, S. M.  
DUNN, ORVAL LEE DUNN and MARY ELEANOR  
DUNN, JAMES B. ANDERSON, FREDERICK  
WHEELOCK, HARVEY AUSTIN KLINGER,  
R. P. CUNNINGHAM and J. M. CUNNINGHAM,  
ERNEST C. ENGLISH and ELSIE E. ENGLISH,  
JAMES W. BALLARD, JOHN LARKIN,  
Administrator of the Estate of JOHN  
B. CARSWELL, deceased, OSCAR AXNER  
and JENNIE AXNER, his wife, E. D.  
HERRICK and EDITH E. HERRICK, his  
wife, LESLIE A. YORDY, Administrator  
of the Estate of JAY YORDY, deceased,  
DANIEL G. HUNT, JR., JOHN SIMEON  
SHERIDAN, WILLIAM STACHER, AUSTIN  
A. HARPER, also known as AUSTIN AMES  
HARPER, CHARLES S. REINEKE, FIRST DOE,  
SECOND DOE, THIRD DOE, FOURTH DOE,  
FIFTH DOE, SIXTH DOE, SEVENTH DOE,  
EIGHTH DOE, NINTH DOE, TENTH DOE,  
ELEVENTH DOE, TWELFTH DOE, THIRTEENTH  
DOE, FOURTEENTH DOE, FIFTEENTH DOE,  
DAVE COVEY, and G. U. WORLEY,

Defendants.

The above entitled cause having been referred to the Division of Water Rights (now Division of Water Resources) of the Department of Public Works of the State of California, as referee, by an order of this Court, entered on August 15, 1926, and made under authority of law as conferred by Section 24 of the Water Commission Act of the State of California, Statutes of 1913, Chapter 586, as amended; said referee having made its investigation; thereafter all of the parties except R. P. Cunningham and Estate of Jay Yordy, having entered into a written stipulation and agreement; said stipulation providing that this Court might enter its decree in accordance with the provisions of said stipulation; said stipulation further providing

1 that findings of fact and conclusions of law be waived; said Division, as  
2 referee, having submitted its report to the Court on March 15, 1930, and  
3 having submitted a supplemental report to the Court on August 1, 1932;  
4 action having been dismissed as against defendant R. P. Cunningham by an  
5 order of the Court, dated June 20, 1935; Elizabeth R. Thomas, Russell E.  
6 Love, M. C. Lysinger, Vivian Fugitt, J. C. Burdick, D. W. Ido and Addielee  
7 Ide, Cora Rice, Esther L. Ensley, and Vernon Worley and Alvin Worley having  
8 been substituted for parties defendant respectively in place of defendants  
9 Marcus E. Thomas, John F. Krehbiel, T. J. Ray, Mt. Shasta Coal Company, S.  
10 M. Dunn and Orval Lee Dunn and Mary Eleanor Dunn, James W. Ballard, John  
11 Larkin, Administrator of the Estate of John B. Carswell, deceased. E. D.  
12 Herrick and Edith E. Herrick, and G. U. Worley; all of said parties so  
13 substituted, except Vivian Fugitt, having ratified, confirmed and adopted  
14 the terms and provisions of said stipulation and agreement; said Vivian  
15 Fugitt having ratified, confirmed and adopted the terms and provisions of  
16 said stipulation and agreement with the proviso that said terms and pro-  
17 visions of said stipulation and agreement shall apply to said Mt. Shasta  
18 Coal Company and to said Vivian Fugitt as substituted in lieu and instead  
19 of said Mt. Shasta Coal Company, as same are corrected, amended and modified  
20 in said supplemental report of referee submitted to the Court on August 1,  
21 1932; the above entitled cause having been set for hearing before this Court  
22 on October 4, 1937; said cause having come on regularly for trial before the  
23 above entitled Court, sitting without a jury, on said October 4, 1937; de-  
24 fendant Leslie A. Yordy, administrator of the Estate of Jay Yordy, deceased,  
25 having been duly and regularly notified of the hearing and trial of said  
26 cause before this Court, and said defendant having failed to appear at said  
27 hearing and trial, and having thereby waived findings of fact and conclusions  
28 of law; the evidence presented and filed by the referee and included within  
29 its report and supplemental report being the only evidence offered or  
30 introduced at said trial; the evidence being closed; said cause being sub-  
31 mitted to the Court for its determination and decision; the Court being fully

1 advised in the premises; and it further appearing as follows:

2 (1) That E. A. Sheridan, A. O. Sheridan, and Margaret Sheridan own  
3 interests, jointly, with defendant John Simeon Sheridan in that portion of  
4 the Sheridan property, known as the M. A. Sheridan Ranch involved in this  
5 action.

6 (2) That Dave Covey and David E. Covey are one and the same person.

7 (3) That Mary Jane Reineke, Annie Dora Drifer, Wallace Emsley  
8 Reineke, Henry Clay Reineke, Irene Reineke, Margaret Eliza Reineke, John  
9 Luke Reineke, and Blaine Reineke own interests, jointly, with defendant  
10 Charles G. Reineke in his property involved in said action.

11 (4) That J. R. Hunt, Jr., John W. Maxwell, Mary Jane Reineke, Annie  
12 Dora Drifer, Wallace Emsley Reineke, Henry Clay Reineke, Irene Reineke,  
13 Margaret Eliza Reineke, John Luke Reineke, Blaine Reineke, E. A. Sheridan,  
14 A. O. Sheridan, Margaret Sheridan, and E. G. Weigart have been served with  
15 summons and complaint in this action as members of the Doe Family and each  
16 and all of said persons have entered into said stipulation for judgment and  
17 that the pleadings on file in this action are hereby amended so that the  
18 aforesaid parties shall appear respectively in the place and stead of First  
19 Doe to Fourteenth Doe inclusive.

20 (5) That the true name of defendant sued herein as Isaac E. Ray is  
21 A. F. Ray and said defendant has appeared in his true name; that by transfers,  
22 subsequent to the time of filing of complaint herein, the property of A. F.  
23 Ray here involved, was transferred to California Lands, Inc., and from  
24 California Lands, Inc., to Robert T. Wood, the present owner.

25 (6) That from various documents and records on file herein, it  
26 appears that the following persons or parties have agreed to pay their ap-  
27 portioned share of the expenses of referee herein (transferees or successors  
28 to ownership of the same real property being grouped together for convenience  
29 of reference):

30

31

1	<u>Name</u>
2	James B. Anderson
	Oscar Axner and Jennie Axner
3	D. W. Ide and Addielee Ide
	A. F. Ray, California Lands Inc., Robert T. Wood
4	David E. Covey
	R. P. Cunningham ✓
5	Ernest C. English and Elsie E. English
	Ben Hall and Vivian Fugitt, Mt. Shasta Coal Co.
6	Austin A. Harper
	Jesse Hufford
7	Daniel G. Hunt, Jr.
	J. R. Hunt, Jr.
8	Harvey Austin Klinger
	Russell E. Love
9	John W. Maxwell
	Millville Ditch Company
10	M. C. Lysinger, M. E. Opdyke, Lodena Ray
	Esther L. Ensley, John Passons, E. D. Herrick, Edith E. Herrick
11	Mary Jane Reineke, Charles S. Reineke, Annie Dora Drifer, Wallace
	Ensley Reineke, Henry Clay Reineke, Irene Reineke, Margaret Eliza
12	Reineke, John Luke Reineke and Blaine Reineke
	Cora Rice
13	Joe Rice
	John Simeon Sheridan
14	E. A. Sheridan, A. O. Sheridan, Margaret Sheridan and John
	Simeon Sheridan
15	William Stacher
	Elizabeth R. Thomas
16	E. G. Weigart
	Frederick Wheelock
17	Vernon Worley and Alvin Worley
	J. C. Burdick, Lucy Wright, and Effie Rock
18	R. G. Wright
19	Leslie A. Yordy, administrator of the Estate of Jay Yordy, deceased. ✓

20           NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS,

21   TO WIT:

22           (1st) There is in said Shasta County a natural stream of water  
23 known as and called "Clover Creek", which said stream arises on the southerly  
24 slope of Snow Mountain in said Shasta County, State of California, and flows  
25 thence in a general southwesterly direction to its confluence with Old Cow  
26 Creek below Millville between well defined banks in a well defined channel  
27 to, upon, and across certain of the lands of certain of the parties to this  
28 action, which lands are hereinafter described in Schedule 1 hereunto annexed  
29 and made a part hereof.

30           (2nd) The party plaintiff and parties defendant in the above entitled  
31 action are the owners of the lands described in their respective pleadings;

1 the allotments of water from said Clover Creek and its tributaries as here-  
2 inafter set forth are for use upon the acreages hereinafter described; the  
3 respective parties are the owners of the acreages hereinafter set forth  
4 under their respective names; and said lands are depicted on two maps, one  
5 of said maps being referred to herein as the "Division of Water Rights Map,"  
6 which map was prepared by the Division of Water Rights (now Division of Water  
7 Resources) of the Department of Public Works of the State of California from  
8 its surveys made in 1927, and is entitled, "Clover Creek Showing Diversion  
9 Systems and Irrigated Lands," and is dated 1927, and the other of said maps  
10 being prepared by said Division of Water Resources from a re-survey in 1932  
11 of the lands of defendants Harvey Austin Klinger, and Ben Hall and Vivian  
12 Fugitt, which maps have been filed in the above entitled cause.

13 (3rd) The party plaintiff and the parties defendant are the owners  
14 of, or interested in, the ditches, conduits and other means of diversion de-  
15 scribed in their respective pleadings, and as depicted on said Division of  
16 Water Rights Map and are entitled to divert water, as hereinafter set forth,  
17 through said means of diversion at the points of diversion depicted on said  
18 map, and as hereinafter described in Schedule 3 hereunto annexed and made a  
19 part hereof.

20 (4th) The several parties to this action are the owners of the  
21 natural flow of Clover Creek and its tributaries, and are the owners of  
22 rights in and to the use thereof, during the period from May first to  
23 October thirty-first, both dates inclusive, of each and every year for  
24 domestic, stock watering and irrigation purposes upon their respective  
25 lands as described under their respective names in Schedule 1 hereof, in  
26 accordance with the quantities of water allotted and to be diverted by means  
27 of the ditches named as set forth in Schedule 2, hereunto annexed and made  
28 a part hereof; and said rights set forth in said Schedule 2 are equal in  
29 priority and correlative in right and at all times when the net available  
30 water supply of said Clover Creek and its tributaries is inadequate to  
31 supply the combined allotments set forth in said Schedule 2, then during the

1 continuance of such shortage, the owners of said allotments shall prorate  
2 said net available water supply in accordance with their respective maximum  
3 allotments set forth in said Schedule 2; provided, however, that no party  
4 herein allotted water shall divert from said Clover Creek and its tributaries  
5 at any time, a quantity of water in excess of that reasonably necessary for  
6 his requirements and being put to beneficial use by said party.

7 (5th) Subject to all of the foregoing rights, James B. Anderson  
8 shall at all times be entitled to divert from the natural flow of Clover  
9 Creek, through the Mill Ditch as described in Schedule 3 hereof, ten (10)  
10 cubic feet per second, or as much thereof as he directly applies to beneficial  
11 use for power purposes at the Anderson Saw Mill situated within the NW<sup>1</sup> SW<sup>1</sup>  
12 of Section 25, T. 33 N., R. 1 W., M.D.B. & M.; provided that if at any time  
13 during the season of irrigation the net available water supply of Clover  
14 Creek and its tributaries is inadequate to supply the combined maximum  
15 allotments therefrom as provided in the preceding paragraph (4th), or as  
16 much thereof as is required for beneficial use by the parties and for the  
17 purposes therein named, then during the continuance of such shortage during  
18 the season of irrigation said James B. Anderson shall not divert any water  
19 for such power purposes; and provided further that all water diverted under  
20 the right provided in this paragraph, with the exception of that reasonably  
21 lost in transportation, shall be discharged at a point immediately below said  
22 saw mill into Anderson Swale leading in a westerly direction therefrom.

23 (6th) Subject to all of the foregoing rights, the parties herein-  
24 after named in this paragraph are entitled to divert, during the period from  
25 May first to October thirty-first of each and every year, the entire flow in  
26 Anderson Swale, which receives the waste and return flow from the Anderson  
27 Saw Mill, the J. B. Anderson irrigated lands, and the central and southern  
28 portions of the Fred Wheelock irrigated lands, or as much of said flow as  
29 said parties directly apply to beneficial use for domestic, stock watering  
30 and irrigation purposes upon their respective lands as described in Schedule  
31 1 hereof, in the respective proportions and through the respective laterals

1 of the Mill Ditch System as hereinafter provided in this paragraph, to wit:

2	<u>Name of Party</u>	<u>Proportion</u>	<u>Lateral of</u>
3		<u>of flow</u>	<u>Mill Ditch</u>
			<u>System</u>
4	Harvey Austin Klinger	one-quarter	West
5	Ben Hall and Vivian Fugitt, jointly	one-quarter	West
6	John Simeon Sheridan	one-sixth	South
7	E. A. Sheridan, A. O. Sheridan, Margaret Sheridan and John		
8	Simeon Sheridan, jointly	one-sixth	South
9	William Stacher	one-sixth	South

10

11 (7th) At all times when the amount of water received by William  
12 Stacher from Anderson Swale through the South Lateral of the Mill Ditch  
13 System under paragraph 6 hereof, is less than 0.60 cubic foot per second,  
14 measured at the south boundary of the Sheridan lands as described in  
15 Schedule 1 hereof, then said William Stacher shall be entitled to divert from  
16 the natural flow of Wild Cat Creek, through the Wild Cat Ditch, a quantity of  
17 supplemental water sufficient to cover such difference; said diversion from  
18 said Wild Cat Creek to be limited to the amount that he directly applies to  
19 beneficial use for domestic, stock watering, and irrigation purposes upon his  
20 lands as described in said Schedule 1.

21 (8th) Nothing herein contained shall be construed as limiting or  
22 restricting the right of any riparian owner on said Clover Creek or its  
23 tributaries to divert and apply to beneficial use on any riparian lands other  
24 than those described in Schedule 1 hereof, any waters of Clover Creek or its  
25 tributaries over and above those waters hereinabove allotted.

26 (9th) Nothing herein contained shall be construed as a waiver of  
27 the right of any party hereto to appropriate, upon application and proceedings  
28 before the Division of Water Resources of the Department of Public Works of  
29 the State of California as now or hereafter constituted, or its successor in  
30 the administration of the Water Commission Act, and apply to beneficial use  
31 on any lands other than those described in Schedule 1 hereof, any waters of

1 Clover Creek or its tributaries over and above those waters hereinabove  
2 allotted, nor shall anything herein contained be construed as a waiver of  
3 the right of any party hereto to protest or take other appropriate action  
4 against the issuance of a permit for the appropriation of water from Clover  
5 Creek or its tributaries, or toward the prevention of such an appropriation.

6 (10th) Subject to the provisions of paragraphs (8th) and (9th)  
7 hereof, whenever there is a surplus of water in Clover Creek and its tribu-  
8 taries over and above the flow necessary to supply all of the rights here-  
9 inabove provided, then such surplus water may be apportioned among the  
10 parties hereto for use for domestic and stock watering purposes and for the  
11 irrigation of their respective lands as described in Schedule 1 hereof, in  
12 the ratios that their respective maximum allotments, as set forth in Schedule  
13 2 hereof, bear to the total of their maximum allotments provided in said  
14 Schedule 2; provided, however, that the amounts of surplus water so diverted  
15 shall be limited to the amounts of water beneficially used for said purposes.

16 (11th) The allotments herein made may be transferred and used upon  
17 other lands than those designated herein, provided that such substituted lands  
18 have the same ownership and lie upon or near to the streams, respectively,  
19 from which diversions are made and so that any waste or drainage shall flow  
20 directly into said streams, respectively.

21 (12th) Nothing herein contained shall be so construed or applied  
22 as to prevent any riparian owner from using the waters of any stream upon his  
23 riparian land for power purposes, provided such use shall not appreciably  
24 diminish the natural flow of such stream, and provided, further, that the  
25 return flow shall be above the diversion point of the next lower user.

26 (13th) The Division of Water Resources of the Department of Public  
27 Works of the State of California, as now or hereafter constituted, or its  
28 successor in the administration of the Water Commission Act, shall supervise  
29 diversions from Clover Creek and its tributaries, through the agency of a  
30 water master, whenever necessity for such water master service is found to  
31 exist by said Division, and that the cost and expenses of such water master



1 service shall be borne by the parties hereto, said costs and expenses to be  
2 apportioned among said parties in accordance with the method of apportioning  
3 the costs of water distribution by water master provided in Section 37f of  
4 the Water Commission Act of the State of California.

5 (14th) The owners of each ditch through which water is diverted from  
6 Clover Creek and its tributaries as herein provided, shall install, under the  
7 supervision of an engineer appointed by the Division of Water Resources, such  
8 permanent diversion works, headgates and measuring devices in their respective  
9 ditches as shall be required and approved by said Division; such installations  
10 to be made prior to October 1, 1937, or such later date as may be ordered by  
11 the above entitled court. The several ditch owners shall furnish all neces-  
12 sary labor and material for the construction and installation of said diver-  
13 sion works, headgates and measuring devices in their respective ditches, and  
14 the cost of supervision as herein provided shall be borne by the parties  
15 hereto, in the ratios that their respective maximum continuous flow allotments,  
16 as provided in Schedule 4 hereof, bear to the total of such maximum continuous  
17 flow allotments provided in said Schedule 4.

18 (15th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the term  
19 "directly apply to beneficial use", as herein used shall be construed to  
20 designate the direct conveyance and application of water diverted to bene-  
21 ficial use without intermediate storage, except such regulatory storage as  
22 may be practiced for the purpose of equalizing the flow of water diverted to  
23 a convenient irrigation head.

24 (16th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the term  
25 "natural flow", as herein used, shall be construed to designate such flow as  
26 will naturally occur at any given point in a stream from the run-off of the  
27 watershed which it drains, from springs which naturally contribute to the  
28 stream, from seepage, and from waste and return flow from dams, conduits and  
29 irrigated lands; as distinguished from released stored water and from "foreign  
30 water" directly conveyed to the stream from another watershed.

31 (17th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the term

1 "net available water supply of Clover Creek and its tributaries", as herein  
2 used, shall be construed to designate the total amount of water available for  
3 diversion by all of the various conduits diverting from Clover Creek and its  
4 tributaries; i.e., the water crop of Clover Creek and its tributaries, plus  
5 all waste and return flow of the stream system from dams, conduits and irri-  
6 gated lands, less all channel losses in the stream system; said "net available  
7 water supply of Clover Creek and its tributaries" at any given time to be  
8 determined by combining the total of all quantities of water being diverted  
9 from the stream system with the flow of Clover Creek immediately below all  
10 diversions at the time.

11 (18th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all allot-  
12 ments of water hereinbefore made from Clover Creek and its tributaries, with  
13 the exception of the power allotments of J. B. Anderson hereinbefore provided  
14 in Paragraph (5th), shall be limited by usage during the season or irrigation,  
15 which is hereby defined as the period commencing May first and extending to  
16 October thirty-first, both dates inclusive, of each and every year; and that  
17 nothing herein contained shall be construed as in any way limiting or re-  
18 stricting the rights of the various parties hereto who require water from  
19 Clover Creek and its tributaries outside of said season of irrigation, to  
20 divert and use such of the waters of said stream system as they may be  
21 legally entitled to, during the period between October thirty-first of each  
22 year and May first of the succeeding year.

23 (19th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the  
24 allotments of water hereinbefore provided shall be diverted from the Clover  
25 Creek stream system at the present points of diversion of the respective  
26 ditches, as said points of diversion are described in Schedule 3 hereof;  
27 and that the points of measurement of all of said allotments shall be at the  
28 respective points of diversion from said Clover Creek and its tributaries.

29 (20th) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each and  
30 every party to this action, his or her agent, successors, grantees and assigns  
31 be and they are hereby perpetually enjoined and restrained from doing anything

1 in violation of the terms and provisions of this decree, or diverting any  
2 water from said Clover Creek and its tributaries at any time in violation  
3 of the terms hereof, or from doing anything that will obstruct or interfere  
4 with any other right in this decree adjudged and decreed.

5 (21st) FINALLY IT IS ORDERED, ADJUDGED AND DECREED that each  
6 party hereto shall pay his own costs and that the amount due from the parties  
7 hereto so said Division of Water Resources for expenses incurred as referee,  
8 as set forth in the report of referee on file in this action shall be borne  
9 by the following parties in the following proportion:

10	<u>Name</u>	<u>Portion of Expense</u>
11	James B. Anderson	\$ 92.35
	Oscar Axner and Jennie Axner	54.65
12	D. W. Ide and Addielee Ide	18.84
	A. F. Ray, California Lands Inc., Robert T. Wood	75.39 (paid)
13	David E. Covey	18.84
	R. P. Cunningham	88.58 (paid)
14	Ernest C. English and Elsie E. English	18.84
	Ben Hall and Vivian Fugitt, Mt. Shasta Coal Co.	67.85
15	Austin A. Harper	18.84
	Jesse Hufford	1.51
16	Daniel G. Hunt, Jr.	26.38
	J. R. Hunt, Jr.	30.15
17	Harvey Austin Klinger	45.23
	Russell E. Love	49.00 (paid)
18	John W. Maxwell	26.38 (paid)
	Millville Ditch Company	335.47
19	M. C. Lysinger, M. E. Opdyke, Lodena Ray	49.00
	Esther L. Ensley, John Passons, E.D. Herrick, Edith E. Herrick	43.35
20	Mary Jane Reineke, Charles S. Reineke, Annie Dora Drifer,	
	Wallace Ensley Reineke, Henry Clay Reineke, Irene Reineke	
21	Margaret Eliza Reineke, John Luke Reineke and Blaine	
	Reineke	160.58
22	Cora Rice	28.27
	Joe Rice	64.08
23	John Simeon Sheridan	20.73
	E. A. Sheridan, A. O. Sheridan, Margaret Sheridan and	
24	John Simeon Sheridan	20.73
	William Stacher	75.39
25	Elizabeth R. Thomas	47.17
	E. G. Weigart	56.54
26	Frederick Wheelock	114.96
	Vernon Worley and Alvin Worley	152.66
27	J. C. Burdick, Lucy Wright, and Effie Rock	22.61
	R. G. Wright	30.15
28	Leslie A. Yordy, administrator of the estate of	
	Jay Yordy, deceased	30.15
29		
30	TOTAL	\$1,884.67
31		

1 and said parties shall forthwith pay said assessments set forth in this  
2 paragraph to said Division of Water Resources, P. O. Box 1079, Sacramento,  
3 California.

4 Done in open court this 4th day of October, 1937.

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ALBERT F. ROSS  
Judge of said Superior Court

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# SCHEDULE 1

## DESCRIPTION OF IRRIGATED LANDS

### James B. Anderson

1.2 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 25, T. 33 N., R. 1 W., M.D.B. & M.  
 21.6 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, T. 33 N., R. 1 W., M.D.B. & M.  
 8.1 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, T. 33 N., R. 1 W., M.D.B. & M.  
30.9 acres - total

### Oscar Axner and Jennie Axner

8.6 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 30, T. 33 N., R. 1 W., M.D.B. & M.  
 7.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 30, T. 33 N., R. 1 W., M.D.B. & M.  
16.1 acres - total

### D. W. Ide and Addielee Ide

1.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 30, T. 33 N., R. 1 W., M.D.B. & M.  
1.5 acres - total

### David E. Covey

5.4 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 1.3 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
6.7 acres - total

### Ernest C. English and Elsie E. English

8.8 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 30, T. 33 N., R. 1 W., M.D.B. & M.  
 17.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 35, T. 33 N., R. 2 W., M.D.B. & M.  
 20.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35, T. 33 N., R. 2 W., M.D.B. & M.  
 18.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 35, T. 33 N., R. 2 W., M.D.B. & M.  
 7.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 35, T. 33 N., R. 2 W., M.D.B. & M.  
71.6 acres - total (41.6 irrigated from Mill Cr.)

### Ben Hall and Vivian Fugitt

13.5 acres in Lot 2 Section 3, T. 32 N., R. 1 W., M.D.B. & M.  
 5.2 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, T. 33 N., R. 1 W., M.D.B. & M.  
 8.3 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, T. 33 N., R. 1 W., M.D.B. & M.  
 6.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 33, T. 33 N., R. 1 W., M.D.B. & M.  
 7.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4, T. 32 N., R. 1 W., M.D.B. & M.  
 5.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4, T. 32 N., R. 1 W., M.D.B. & M.  
 8.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4, T. 32 N., R. 1 W., M.D.B. & M.  
53.2 acres - total

### Austin A. Harper

1.5 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 11, T. 32 N., R. 1 W., M.D.B. & M.  
 10.1 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11, T. 32 N., R. 1 W., M.D.B. & M.  
11.6 acres - total

### Daniel G. Hunt, Jr.

2.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 29, T. 32 N., R. 2 W., M.D.B. & M.  
 7.1 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 29, T. 32 N., R. 2 W., M.D.B. & M.  
9.1 acres - total

### J. R. Hunt, Jr.

0.9 acre in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 16, T. 32 N., R. 1 W., M.D.B. & M.  
 4.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 16, T. 32 N., R. 1 W., M.D.B. & M.  
4.9 acres - total

SCHEDULE 1 (CONTINUED)

Harvey Austin Klinger

9.5 acres in SE <sup>1</sup> NE <sup>1</sup>	Section 33, T. 33 N., R. 1 W., M.D.B. & M.
4.7 acres in NE <sup>1</sup> NE <sup>1</sup>	Section 33, T. 33 N., R. 1 W., M.D.B. & M.
3.1 acres in SW <sup>1</sup> NW <sup>1</sup>	Section 34, T. 33 N., R. 1 W., M.D.B. & M.
22.2 acres in NW <sup>1</sup> NW <sup>1</sup>	Section 34, T. 33 N., R. 1 W., M.D.B. & M.
5.5 acres in NE <sup>1</sup> NW <sup>1</sup>	Section 34, T. 33 N., R. 1 W., M.D.B. & M.
4.8 acres in SW <sup>1</sup> NE <sup>1</sup>	Section 32, T. 33 N., R. 1 W., M.D.B. & M.
3.3 acres in NW <sup>1</sup> NE <sup>1</sup>	Section 32, T. 33 N., R. 1 W., M.D.B. & M.
5.9 acres in NE <sup>1</sup> NE <sup>1</sup>	Section 32, T. 33 N., R. 1 W., M.D.B. & M.
<u>10.3 acres in SW<sup>1</sup> SW<sup>1</sup></u>	Section 32, T. 33 N., R. 1 W., M.D.B. & M.
69.3 acres - total	

Russell E. Love

18.6 acres in SE <sup>1</sup> NE <sup>1</sup>	Section 25, T. 33 N., R. 1 W., M.D.B. & M.
2.0 acres in SW <sup>1</sup> NE <sup>1</sup>	Section 25, T. 33 N., R. 1 W., M.D.B. & M.
<u>0.7 acre in NW<sup>1</sup> SE<sup>1</sup></u>	Section 25, T. 33 N., R. 1 W., M.D.B. & M.
21.3 acres - total	

A. F. Ray

3.2 acres in SE <sup>1</sup> NE <sup>1</sup>	Section 30, T. 33 N., R. 1 E., M.D.B. & M.
3.5 acres in NW <sup>1</sup> NE <sup>1</sup>	Section 30, T. 33 N., R. 1 E., M.D.B. & M.
5.8 acres in NE <sup>1</sup> NE <sup>1</sup>	Section 30, T. 33 N., R. 1 E., M.D.B. & M.
<u>11.0 acres in SE<sup>1</sup> NE<sup>1</sup></u>	Section 30, T. 33 N., R. 1 E., M.D.B. & M.
23.5 acres - total	

John W. Maxwell

<u>16.8 acres in SE<sup>1</sup> NE<sup>1</sup></u>	Section 24, T. 33 N., R. 1 W., M.D.B. & M.
16.8 acres - total	

Various Stockholders in Millville Ditch Company, a Corporation

4.8 acres in NE <sup>1</sup> NE <sup>1</sup>	Section 15, T. 31 N., R. 3 W., M.D.B. & M.
2.8 acres in NW <sup>1</sup> SW <sup>1</sup>	Section 6, T. 31 N., R. 2 W., M.D.B. & M.
6.4 acres in NE <sup>1</sup> SE <sup>1</sup>	Section 1, T. 31 N., R. 3 W., M.D.B. & M.
3.5 acres in SE <sup>1</sup> SE <sup>1</sup>	Section 1, T. 31 N., R. 3 W., M.D.B. & M.
3.1 acres in SW <sup>1</sup> SE <sup>1</sup>	Section 1, T. 31 N., R. 3 W., M.D.B. & M.
8.8 acres in SE <sup>1</sup> SW <sup>1</sup>	Section 1, T. 31 N., R. 3 W., M.D.B. & M.
4.4 acres in NE <sup>1</sup> SE <sup>1</sup>	Section 10, T. 31 N., R. 3 W., M.D.B. & M.
12.7 acres in SE <sup>1</sup> SE <sup>1</sup>	Section 10, T. 31 N., R. 3 W., M.D.B. & M.
0.1 acre in NE <sup>1</sup> NE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
5.4 acres in SE <sup>1</sup> NE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
2.2 acres in NE <sup>1</sup> SE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
0.3 acre in SW <sup>1</sup> NE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
26.4 acres in NW <sup>1</sup> SE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
20.5 acres in SW <sup>1</sup> SE <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
7.6 acres in NE <sup>1</sup> SW <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
34.3 acres in SE <sup>1</sup> SW <sup>1</sup>	Section 11, T. 31 N., R. 3 W., M.D.B. & M.
9.3 acres in NW <sup>1</sup> NW <sup>1</sup>	Section 12, T. 31 N., R. 3 W., M.D.B. & M.
11.2 acres in NE <sup>1</sup> NW <sup>1</sup>	Section 12, T. 31 N., R. 3 W., M.D.B. & M.
0.2 acre in SE <sup>1</sup> NW <sup>1</sup>	Section 12, T. 31 N., R. 3 W., M.D.B. & M.
12.9 acres in SW <sup>1</sup> NW <sup>1</sup>	Section 12, T. 31 N., R. 3 W., M.D.B. & M.
0.4 acre in NW <sup>1</sup> SW <sup>1</sup>	Section 12, T. 31 N., R. 3 W., M.D.B. & M.
<u>29.3 acres in Town of Millville</u>	
206.6 acres - total	

Esther L. Ensley

4.1 acres in SE <sup>1</sup> SW <sup>1</sup>	Section 25, T. 33 N., R. 2 W., M.D.B. & M.
6.4 acres in SW <sup>1</sup> SE <sup>1</sup>	Section 25, T. 33 N., R. 2 W., M.D.B. & M.
3.0 acres in NW <sup>1</sup> SE <sup>1</sup>	Section 25, T. 33 N., R. 2 W., M.D.B. & M.
<u>0.3 acre in SE<sup>1</sup> SE<sup>1</sup></u>	Section 25, T. 33 N., R. 2 W., M.D.B. & M.
13.8 acres - total	

SCHEDULE 1 (CONTINUED)

M. C. Lysinger

19.6 acres in SE<sup>1</sup> NW<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 7.1 acres in SW<sup>1</sup> NE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 7.0 acres in NW<sup>1</sup> SE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 1.0 acre in NE<sup>1</sup> SW<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 34.7 acres - total

Mrs. Mary Jane Reineke, Charles S. Reineke, Annie Dora Drifer, Wallace Emsley Reineke, Henry Clay Reineke, Irene Reineke, Margaret Eliza Reineke, John Luke Reineke, and Blaine Reineke

0.2 acre in SE<sup>1</sup> NE<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 8.3 acres in NE<sup>1</sup> SE<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 4.6 acres in NW<sup>1</sup> SE<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 6.2 acres in NE<sup>1</sup> SW<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 1.0 acre in NW<sup>1</sup> SW<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 5.0 acres in SW<sup>1</sup> SW<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 1.6 acres in SE<sup>1</sup> SW<sup>1</sup> Section 13, T. 32 N., R. 2 W., M.D.B. & M.  
 1.0 acre in N<sup>1</sup> Lot 2, NW<sup>1</sup> Section 18, T. 32 N., R. 1 W., M.D.B. & M.  
 4.9 acres in N<sup>1</sup> Lot 1, NW<sup>1</sup> Section 18, T. 32 N., R. 1 W., M.D.B. & M.  
 3.0 acres in S<sup>1</sup> Lot 1, NW<sup>1</sup> Section 18, T. 32 N., R. 1 W., M.D.B. & M.  
 6.8 acres in N<sup>1</sup> Lot 2, SW<sup>1</sup> Section 18, T. 32 N., R. 1 W., M.D.B. & M.  
 14.5 acres in S<sup>1</sup> Lot 2, NW<sup>1</sup> Section 18, T. 32 N., R. 1 W., M.D.B. & M.  
 0.1 acre in SW<sup>1</sup> SW<sup>1</sup> Section 32, T. 32 N., R. 2 W., M.D.B. & M.  
 4.4 acres in SW<sup>1</sup> SE<sup>1</sup> Section 6, T. 32 N., R. 1 W., M.D.B. & M.  
 6.7 acres in SW<sup>1</sup> NE<sup>1</sup> Section 7, T. 32 N., R. 1 W., M.D.B. & M.  
 8.7 acres in NW<sup>1</sup> NE<sup>1</sup> Section 7, T. 32 N., R. 1 W., M.D.B. & M.  
 3.9 acres in NE<sup>1</sup> NE<sup>1</sup> Section 7, T. 32 N., R. 1 W., M.D.B. & M.  
 80.9 acres - total

Cora Rice

1.3 acres in NE<sup>1</sup> SE<sup>1</sup> Section 25, T. 33 N., R. 2 W., M.D.B. & M.  
 8.9 acres in SE<sup>1</sup> NE<sup>1</sup> Section 25, T. 33 N., R. 2 W., M.D.B. & M.  
 0.2 acre in SW<sup>1</sup> NW<sup>1</sup> Section 30, T. 33 N., R. 1 W., M.D.B. & M.  
 10.4 acres - total

Joe Rice

12.2 acres in NW<sup>1</sup> NE<sup>1</sup> Section 8, T. 32 N., R. 1 W., M.D.B. & M.  
 14.7 acres in NE<sup>1</sup> NE<sup>1</sup> Section 8, T. 32 N., R. 1 W., M.D.B. & M.  
 1.8 acres in SW<sup>1</sup> NE<sup>1</sup> Section 8, T. 32 N., R. 1 W., M.D.B. & M.  
 28.7 acres - total

John Simeon Sheridan

9.6 acres in W<sup>1</sup> Lot 2, Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 0.5 acre in NE<sup>1</sup> NE<sup>1</sup> Section 3, T. 32 N., R. 1 W., M.D.B. & M.  
 10.1 acres - total

E. A. Sheridan, A. O. Sheridan, John Simeon Sheridan, and Margaret Sheridan

0.1 acre in W<sup>1</sup> Lot 1, Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 0.8 acre in W<sup>1</sup> Lot 2, Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 15.0 acres in E<sup>1</sup> Lot 2, Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 5.4 acres in E<sup>1</sup> Lot 1, Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 21.3 acres - total

William Stacher

1.4 acres in NW<sup>1</sup> SW<sup>1</sup> Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 12.6 acres in NE<sup>1</sup> SW<sup>1</sup> Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 0.1 acre in NW<sup>1</sup> SE<sup>1</sup> Section 2, T. 32 N., R. 1 W., M.D.B. & M.  
 11.4 acres in SE<sup>1</sup> SW<sup>1</sup> Section 2, T. 32 N., R. 1 W., M.D.B. & M.

SCHEDULE 1 (CONTINUED)

William Stacher - Continued

1.9 acres in SE<sup>1</sup> SW<sup>1</sup> Section 3, T. 32 N., R. 1 W., M.D.B. & M.  
 0.1 acre in NE<sup>1</sup> NE<sup>1</sup> Section 9, T. 32 N., R. 1 W., M.D.B. & M.  
 1.5 acres in SE<sup>1</sup> NE<sup>1</sup> Section 9, T. 32 N., R. 1 W., M.D.B. & M.  
 5.6 acres in NE<sup>1</sup> NW<sup>1</sup> Section 10, T. 32 N., R. 1 W., M.D.B. & M.  
 1.1 acres in SE<sup>1</sup> NW<sup>1</sup> Section 10, T. 32 N., R. 1 W., M.D.B. & M.  
 1.7 acres in NW<sup>1</sup> NW<sup>1</sup> Section 10, T. 32 N., R. 1 W., M.D.B. & M.  
2.6 acres in SW<sup>1</sup> NW<sup>1</sup> Section 10, T. 32 N., R. 1 W., M.D.B. & M.  
 40.0 acres - total

Elizabeth R. Thomas

2.2 acres in NW<sup>1</sup> SE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 3.0 acres in NE<sup>1</sup> SE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 12.4 acres in SE<sup>1</sup> SE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
7.3 acres in SW<sup>1</sup> SE<sup>1</sup> Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 24.9 acres - total

E. G. Weigart

1.4 acres in Lot 11, Section 20, T. 33 N., R. 1 E., M.D.B. & M.  
 5.6 acres in Lot 12, Section 20, T. 33 N., R. 1 E., M.D.B. & M.  
1.2 acres in Lot 13, Section 20, T. 33 N., R. 1 E., M.D.B. & M.  
 8.2 acres - total

Frederick Wheelock

9.9 acres in SE<sup>1</sup> NE<sup>1</sup> Section 26, T. 33 N., R. 1 W., M.D.B. & M.  
26.7 acres in NE<sup>1</sup> SE<sup>1</sup> Section 26, T. 33 N., R. 1 W., M.D.B. & M.  
 36.6 acres - total

Vernon Worley and Alvin Worley

14.9 acres in SW<sup>1</sup> SE<sup>1</sup> Section 18, T. 33 N., R. 1 E., M.D.B. & M.  
 1.8 acres in SE<sup>1</sup> SE<sup>1</sup> Section 18, T. 33 N., R. 1 E., M.D.B. & M.  
 0.1 acre in SE<sup>1</sup> SW<sup>1</sup> Section 18, T. 33 N., R. 1 E., M.D.B. & M.  
 8.0 acres in NE<sup>1</sup> NE<sup>1</sup> Section 19, T. 33 N., R. 1 E., M.D.B. & M.  
 29.5 acres in NW<sup>1</sup> NE<sup>1</sup> Section 19, T. 33 N., R. 1 E., M.D.B. & M.  
 22.4 acres in NE<sup>1</sup> NW<sup>1</sup> Section 19, T. 33 N., R. 1 E., M.D.B. & M.  
2.3 acres in SE<sup>1</sup> NW<sup>1</sup> Section 19, T. 33 N., R. 1 E., M.D.B. & M.  
 79.0 acres - total

J. C. Burdick

0.2 acre in SE<sup>1</sup> SW<sup>1</sup> Section 24, T. 33 N., R. 1 W., M.D.B. & M.  
 1.9 acres in SW<sup>1</sup> SW<sup>1</sup> Section 24, T. 33 N., R. 1 W., M.D.B. & M.  
 2.6 acres in NE<sup>1</sup> NW<sup>1</sup> Section 25, T. 33 N., R. 1 W., M.D.B. & M.  
1.9 acres in NW<sup>1</sup> NW<sup>1</sup> Section 25, T. 33 N., R. 1 W., M.D.B. & M.  
 6.6 acres - total

R. G. Wright

3.2 acres in Lot 1, Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
5.8 acres in Lot 2, Section 30, T. 33 N., R. 1 E., M.D.B. & M.  
 9.0 acres - total.

Jay Yordy Estate

0.6 acre in SW<sup>1</sup> SE<sup>1</sup> Section 21, T. 33 N., R. 1 W., M.D.B. & M.  
 2.1 acres in SE<sup>1</sup> SE<sup>1</sup> Section 21, T. 33 N., R. 1 W., M.D.B. & M.  
 1.1 acres in NW<sup>1</sup> NE<sup>1</sup> Section 28, T. 33 N., R. 1 W., M.D.B. & M.  
8.3 acres in NE<sup>1</sup> NE<sup>1</sup> Section 28, T. 33 N., R. 1 W., M.D.B. & M.  
 12.1 acres - total



SCHEDULE 2

MAXIMUM ALLOTMENTS TO VARIOUS DITCHES FROM  
CLOVER CREEK AND ITS TRIBUTARIES

Diversion: Number	Name of Ditch	Source Creek	Maximum Allotment: Cubic Feet Per Second	Acreage to be Supplied:	Name of Owner
1	Worley	Silver	2.00	79.0	Vernon Worley and Alvin Worley
2	Guttman	Clover	1.85	(23.5 (24.9 5.2 54.6 53.6	A. F. Ray Elizabeth R. Thomas Ben Hall and Vivian Fugitt Total
3	Bonde	Clover	2.45	(48.0 (2.0 (34.7 (21.3 106.0	Ben Hall and Vivian Fugitt E. G. Weigart M. C. Lysinger Russell E. Love Total
4	Mill	Clover	4.80 ✓	(9.0 (30.9 (6.6 (36.6 (69.3 (10.1 (21.3 (25.5 209.3	R. G. Wright James B. Anderson J. C. Burdick Frederick Wheelock Harvey Austin Klinger John Simeon Sheridan E. A. Sheridan, A.O. Sher- idan, John Simeon Sher- idan and Margaret Sheridan William Stacher Total
5	Rodgers	Clover	0.25	6.2	E. G. Weigart
6	Maxwell	Wyndham	0.35 ✓	16.8	John W. Maxwell
9	Welch and Nailor	Clover	2.15	(16.1 (1.5 (30.0 ( (13.8 (10.4 71.8	Oscar Axner & Jennie Axner D.W. Ide and Addie Lee Ide Ernest C. English and Elsie E. English Esther L. Ensley Cora Rice Total
10 or 11	Yordy Upper or Yordy Lower	Clover	0.40	12.1	Jay Yordy Estate
12 and/or 13	Hufford Upper and/or Hufford Lower	Clover	0.70 ✓	23.7	Mary Jane Reineke, Charles S. Reineke, Annie Dora Dri- fer, Wallace Emsley Reineke Henry Clay Reineke, Irene Reineke, Margaret Eliza Reineke, John Luke Reineke Blaine Reineke
22 and/or 23	Reineke South Clover and/or Reineke Clover	South Clover and/or Clover	1.40 ✓	57.1	

SCHEDULE 2 (CONTINUED)

Diversion:			Maximum		
Number	Name	Source	Allotment:	Acreage	Name
to Divi-	of	Creek	Cubic	to be	of
sion of	Ditch		Feet	Supplied:	Owner
Water			Per		
Rights			Second		
Map					
15	Covey	South Clover	0.25✓	6.7	David E. Covey
16	Harper	South Clover	0.25✓	11.6	Austin A. Harper
17 & 18	Hunt	South Clover	0.40✓	4.9	J. R. Hunt, Jr.
19	Slaughter Pole	Slaughter Pole	0.40✓	14.5	William Stacher
20	Rice South Clover	South Clover	0.15✓	1.3	Joe Rice
21	Rose Briar	Rose Briar	0.70✓	27.4	Joe Rice
24	Webb	Clover	0.35✓	9.1	Daniel G. Hunt, Jr.
25	Hufford Pump	Clover	0.02✓	0.1	Jesse Hufford
26	Millville	Clover	4.40✓	206.6	Various Stockholders in Millville Ditch Company, a Corporation
TOTALS			23.27	917.8	

39.4 acres  
cls

SCHEDULE 3

DESCRIPTIONS OF POINTS OF DIVERSION OF DITCHES

DIVERTING FROM CLOVER CREEK STREAM SYSTEM

Worley Ditch on Silver Creek

At a point (designated on Division of Water Rights Map as Diversion 1) which bears approximately N 78° 00' E., approximately 1080 feet distant from the Southwest corner of Section 16, T. 33 N., R. 1 E., M.D.B. & M., being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 16.

Guttman Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 2) which bears approximately S. 19° 30' W., approximately 1260 feet distant from the northeast corner of Section 21, T. 33 N., R. 1 E., M.D.B. & M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 21.

Bonde Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 3) which bears approximately S. 12° 00' W., approximately 870 feet distant from the northeast corner of Section 20, T. 33 N., R. 1 E., M.D.B. & M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 20.

Mill Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 4) which bears approximately S. 36° 00' W., approximately 2590 feet distant from the northeast corner of Section 20, T. 33 N., R. 1 E., M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 20.

Rodgers Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 5) which bears approximately S. 42° 00' W., approximately 3270 feet distant from the northeast corner of Section 20, T. 33 N., R. 1 E., M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 20.

Maxwell Ditch on Wyndham Creek

At a point (designated on Division of Water Rights Map as Diversion 6) which bears approximately S. 4° 30' E., approximately 2000 feet distant from the northwest corner of Section 19, T. 33 N., R. 1 E., M.D.B. & M., being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 19.

Welch and Nailor Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 9) which bears approximately S. 49° 30' E., approximately 3080 feet distant from the northwest corner of Section 22, T. 33 N., R. 1 W., M.D.B. & M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 22.

Yordy Upper Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 10) which bears approximately S. 39° 00' E., approximately 3030 feet distant from the northwest corner of Section 22, T. 33 N., R. 1 W., M.D.B. & M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 22.

Yordy Lower Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 11) which bears approximately S. 6° 00' W., approximately 1100 feet distant from the northeast corner of Section 28, T. 33 N., R. 1 W., M.D.B. & M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 22.

Hufford Upper Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 12) which bears approximately N. 55° 00' W., approximately 2150 feet distant from the southeast corner of Section 6, T. 32 N., R. 1 W., M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 6.

Hufford Lower Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 13) which bears approximately N. 57° 00' W., approximately 1560 feet distant from the southeast corner of Section 6, T. 32 N., R. 1 W., M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 6.

Wild Cat Ditch on Wild Cat Creek

At a point (designated on Division of Water Rights Map as Diversion 14) which bears approximately S. 74° 00' W., approximately 2030 feet distant from the northeast corner of Section 2, T. 32 N., R. 1 W., M.D.B. & M., being within the W $\frac{1}{2}$  Lot 2 of the NE $\frac{1}{4}$  of said Section 2.

Covey Ditch on South Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 15) which bears approximately S. 39° 30' W., approximately 860 feet distant from the northeast corner of Section 2, T. 32 N., R. 1 W., M.D.B. & M., being within the E $\frac{1}{2}$  Lot 2 of the NE $\frac{1}{4}$  of said Section 2.

Harper Ditch on South Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 16) which bears approximately N. 63° 00' W., approximately 2000 feet distant from the southeast corner of Section 2, T. 32 N., R. 1 W., M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 2.

Hunt Ditch on Unnamed Creek and South Clover Creek

At two points (designated on Division of Water Rights Map as Diversions 17 and 18) which, respectively, bear approximately S. 41° 30' E., and S. 37° 00' E., approximately 1380 feet and 2110 feet, respectively, distant from the northwest corner of Section 11, T. 32 N., R. 1 W., M.D.B. & M., being, respectively, within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 11.

Slaughter Pole Ditch on Slaughter Pole Creek

At a point (designated on Division of Water Rights Map as Diversion 19) which bears approximately N. 69° 00' W., approximately 2180 feet distant from the southeast corner of Section 3, T. 32 N., R. 1 W., M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3.

Rice South Clover Ditch on South Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 20) which bears approximately N. 15° 00' W., approximately 1870 feet distant from the southeast corner of Section 8, T. 32 N., R. 1 W., M.D.B. & M., being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 8.

SCHEDULE 3 (CONTINUED)

Rose Briar Ditch on Rose Briar Creek

At a point (designated on Division of Water Rights Map as Diversion 21) which bears approximately S.  $1^{\circ} 00'$  E., approximately 1480 feet distant from the northwest corner of Section 4, T. 32 N., R. 1 W., M.D.B. & M., being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 4.

Reineke South Clover Ditch on South Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 22) which bears approximately S.  $63^{\circ} 30'$  W., approximately 2180 feet distant from the northeast corner of Section 18, T. 32 N., R. 1 W., M.D.B. & M., being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 18.

Reineke Clover Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 23) which bears approximately S.  $21^{\circ} 00'$  E., approximately 1830 feet distant from the northeast corner of Section 18, T. 32 N., R. 1 W., M.D.B. & M., being within the S $\frac{1}{2}$  Lot 2 of the NW $\frac{1}{4}$  of said Section 18.

Webb Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 24) which bears approximately S.  $40^{\circ} 30'$  W., approximately 2280 feet distant from the northeast corner of Section 28, T. 32 N., R. 2 W., M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 28.

Hereford Pump on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 25) which bears approximately N.  $46^{\circ} 30'$  E., approximately 710 feet distant from the southwest corner of Section 32, T. 32 N., R. 2 W., M.D.B. & M., being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 32.

Millville Ditch on Clover Creek

At a point (designated on Division of Water Rights Map as Diversion 26) which bears approximately S.  $43^{\circ} 00'$  E., approximately 2750 feet distant from the northwest corner of Section 6, T. 31 N., R. 2 W., M.D.B. & M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 6.

West Lateral of Mill Ditch System on Anderson Swale and Wheelock Swale

At a point on Anderson Swale which bears approximately N.  $39^{\circ} 00'$  W., approximately 2370 feet distant from the southeast corner of Section 26, T. 33 N., R. 1 W., M.D.B. & M., and at a point on Wheelock Swale which bears approximately N.  $49^{\circ} 00'$  W., approximately 2810 feet distant from the southeast corner of said Section 26, both of said points being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 26.

South Lateral of Mill Ditch System on Anderson Swale

At a point on Anderson Swale which bears approximately N.  $66^{\circ} 30'$  E., approximately 2470 feet distant from the southwest corner of Section 26, T. 33 N., R. 1 W., M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 26.

SCHEDULE 4

MAXIMUM ALLOTMENTS TO VARIOUS PARTIES FROM

CLOVER CREEK AND ITS TRIBUTARIES

Party	Maximum Continuous Flow Allotments Cubic Feet per Second
:James B. Anderson	: 1.20 :
:Oscar Axner and Jennie Axner	: 0.72 :
:D. W. Ide and Addielee Ide	: 0.24 :
:David E. Covey	: 0.25 :
:Ernest C. English and Elsie E. English	: 0.24 :
:Ben Hall and Vivian Fugitt	: 0.88 :
:Austin A. Harper	: 0.25 :
:Jesse Hufford	: 0.02 :
:Daniel G. Hunt, Jr.	: 0.35 :
:J. R. Hunt, Jr.	: 0.40 :
:Harvey Austin Klinger	: 0.60 :
:Russell E. Love	: 0.65 :
:A. F. Ray	: 1.00 :
:John W. Maxwell	: 0.35 :
:Millville Ditch Company, a corporation	: 4.40 :
:Esther L. Ensley	: 0.58 :
:M. C. Lysinger	: 0.65 :
:Mary Jane Reineke, Charles S. Reineke, Annie:	:
: Dora Drifer, Wallace Ensley Reineke, Henry :	:
: Clay Reineke, Irene Reineke, Margaret Eliza:	:
: Reineke, John Luke Reineke, and Blaine :	:
: Reineke	: 2.10 :
:Cora Rice	: 0.36 :
:Joe Rice	: 0.85 :
:John Simeon Sheridan	: 0.27 :
:E. A. Sheridan, A. O. Sheridan, John Simeon :	:
: Sheridan, and Margaret Sheridan	: 0.27 :
:William Stacher	: 1.00* :
:Elizabeth R. Thomas	: 0.62 :
:E. G. Weigart	: 0.74 :
:Frederick Wheelock	: 1.50 :
:Vernon Worley and Alvin Worley	: 2.00 :
:J. C. Burdick	: 0.30 :
:R. G. Wright	: 0.40 :
:Jay Yordy Estate	: 0.40 :
	:
Total	: 23.59 :

\*Includes 0.33 cubic foot per second from Wild Cat Creek.